

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2016-051478

07/13/2016

HONORABLE SUSAN M. BRNOVICH

CLERK OF THE COURT
K. Hartley
Deputy

MITCHELL BOGUSHEFSKY

JENNIFER B FITE

v.

BOGAWARE L L C, et al.

DANIEL R WARNER

MINUTE ENTRY

Courtroom 112-NE

9:23 a.m. This is the time set for Oral Argument regarding Defendants' Motion to Dismiss Present is Plaintiff who is represented by counsel, Jennifer B Fite. Present on behalf of Defendants is counsel, Daniel R. Warner.

A record of the proceedings is made digitally in lieu of a court reporter.

Arguments are presented.

THE COURT FINDS that the arbitration clause, if found valid after Plaintiff's opportunity to amend the Complaint, would apply to Counts 1-5 and 8. Discussion is held as to whether it applies to Counts 6-7.

Discussion is held regarding Plaintiff's request for leave to amend the Complaint.

Over objection,

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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IT IS ORDERED granting Plaintiff's request for leave amend the Complaint to attempt to fix any deficiencies related to the Arbitration clause challenge.

IT IS FURTHER ORDERED that Plaintiff shall file the amended complaint no later than **July 27, 2016**. Defendants shall file their response and/or a motion to dismiss not later than **August 26, 2016**.

9:46 a.m. Matter concludes.

LATER:

THE COURT FINDS that if the arbitration Clause is valid, then it applies to all Counts, including 6- 7.